

REMARKS

Claims 1-31 are currently pending and have been subject to restriction. The Examiner asserts that the claims are drawn to seven patentably distinct inventions as follows:

Group I. Claims 1-20, drawn to a population of differentiated neural cells, a method of isolating a population of differentiated cells, a method of promoting differentiation of neural stem cells by inhibiting ATF5 and contacting the cell with a neurotrophic factor and a method of treating nervous tissue degeneration by promoting differentiation of neural stem cells and transplanting the differentiated neural cells into the subject;

Group II. Claim 21, drawn to a method for identifying an agent for use in treating a condition;

Group III. Claim 22, drawn to a method for suppressing differentiation of neural stem cells by adding ATF5;

Group IV. Claim 23, 27, and 31, drawn to an ATF5 inhibiting agent, a kit comprising an ATF5 specific agent, and a therapeutic composition;

Group V. Claims 24-26, drawn to a method for identifying an agent which inhibits ATF5;

Group VI. Claim 28, drawn to a method to determine whether a subject has a neural tumor by assaying a diagnostic sample for ATF5; and

Group VII. Claims 29 and 30, drawn to a method for assessing the efficacy of a therapy to treat a neural tumor comprising assaying a sample for ATF5 levels and a method for assessing the prognosis of a subject by assaying a sample for ATF5 levels.

Applicants hereby traverse this restriction requirement for the reasons set forth below.

However, to be fully responsive to the restriction requirement, Applicants provisionally elect *with traverse* the claimed apparatus of Group I, claims 1-20, drawn to a population of differentiated neural cells, a method of isolating a population of differentiated cells, a method of promoting differentiation of neural stem cells by inhibiting ATF5 and contacting the cell with a neurotrophic factor and a method of treating nervous tissue degeneration by promoting differentiation of neural stem cells and transplanting the differentiated neural cells into the

subject. Applicants submit that the election is made without prejudice to the prosecution of the subject matter of non-elected claims in divisional, continuation, and continuation-in-part applications.

Applicants submit that Groups I and III as delineated by the Examiner are not distinct, and merit examination together. The Examiner states that Groups I and III are unrelated because they are comprised of different steps and have distinct outcomes. The Examiner asserts that “the outcome of the method of Group I is treatment of a subject with nervous tissue degeneration... [and] the outcome of Group III is suppression of differentiation.”

Applicants submit that the processes of Groups I and III are related processes, and that it would not be a burden on the Examiner to examine both groups concurrently. Each of these Groups involves the differentiation of neural stem cells via the activity of ATF5, and both groups have the same outcome of manipulation of neural stem cell differentiation. Although Group I results in differentiated neural stem cells and Group III inhibits differentiation of neural stem cells, the processes are still related; both Groups manipulate the activity of ATF5 and manipulate the differentiation of neural stem cells via the activity of ATF5. Accordingly, Groups I and III are related inventions, and should be examined concurrently.

Applicants further submit that a thorough examination of the elected Group, Group I, would require a search which encompasses the subject matter of Group III, and accordingly would not impose an additional burden on the Examiner. Both Groups involve the differentiation of neural stem cells via the ATF5 pathway, and a thorough search of the differentiation of neural stem cells involving ATF5 will encompass both differentiation of neural stem cells and the inhibition of differentiation of neural stem cells. As such, Examination of Groups I and III together will not represent any additional burden upon the Examiner.

Based on the foregoing, Applicants respectfully request that the restriction requirement be withdrawn with regard to Groups I and III, and that these Groups examined together. Entry of the foregoing remarks into the file of the above-identified application is respectfully requested. An early allowance is earnestly sought.

Respectfully submitted,

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